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E-Filed on 10/6/09

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,¹

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,²

USA Securities, LLC,³

Debtors.

Case No. BK-S-06-10725-LBR,
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR,
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**Stipulation to Reinstate Proof of Claim
by Richard L. Younger IRA in the
Amount of \$150,000.00 and to Vacate
Order Disallowing Proof of Claim**

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

USACM Liquidating Trust (the "USACM Trust"), by and through its counsel,
Lewis and Roca LLP, and Richard L. Younger IRA, by and through Richard L. Younger
("Younger"), hereby stipulate:

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007

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1 1. Richard L. Younge, IRA filed proof of claim No. 10728-00076 in the
2 amount of \$150,000 on October 27, 2006 in the USA Capital First Trust Deed Fund, LLC
3 ["FTDF"], Case No. 06-10728.

4 2. Pursuant to the Order Sustaining the Second Omnibus Objection of the
5 Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund to
6 Misfiled Claims, [DE 2711], entered on February 7, 2007, the Younge claim was
7 disallowed in the FTDF case and deemed timely filed in USA Commercial Mortgage
8 Company, Case No. 06-10725.

9 3. USA Commercial Mortgage Company filed a Nineteenth Omnibus
10 Objection to Proofs of Claim for Lack of Documentation [DE 7253] on July 22, 2009,
11 objecting to Proof of Claim No. 10728-00076 filed by Younge in the amount of
12 \$150,000.00.

13 4. The objection came on for hearing on August 21, 2009. No responses to the
14 objection were filed and an Order Sustaining Nineteenth Omnibus Objection of the
15 USACM Liquidating Trust to Proofs of Claim for Lack of Documentation ("Order") [DE
16 7422] was entered on September 2, 2009.

17 5. Younge has since provided documentation to counsel for the USACM Trust
18 to substantiate the investment of \$50,000 in the Mountain House Loan and \$100,000 in
19 Fiesta Murietta Loan.

20 4. Upon review of the documentation, the parties hereby stipulate:

- 21 • The portion of the Order disallowing Proof of Claim No. 10728-00076 be
22 vacated;
23 • Proof of Claim No. 10728-00076 be reinstated as an unsecured non-priority
24 claim in the amount of \$150,000; and
25 • Proof of Claim No 10728-00076 is subject to objection at a later date.
26

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L A W Y E R S

LEWIS AND ROCA LLP

RICHARD L. YOUNGE IRA

Richard L. Young

By s/John Hinderaker
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Trust

By: s/ Richard L. Young,
6131 SW Luradel St.
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DATED: September 25, 2009

DATED: September 30, 2009.